

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

UNITED STATES OF AMERICA

-vs-

TED JOHNSON JR and FRANK FARRIER JR

Action No.: 7:07-CR-00048

Date: April 28, 2009

Judge: Samuel G. Wilson

Court Reporter: Judy Webb

LIST OF WITNESSES

Attorney

Jennie L M Waering
David A Bybee

Attorney

Anthony Anderson & Melissa
Friedman (TJ); Randy Cargill (FF)

PLAINTIFF/GOVERNMENT:

1. Phillip Barnett, SA, IRS
2. VICTIM STATEMENT - E. Scott Geller
3. _____
4. _____

DEFENDANT:

1. Gerald Mann (Johnson)
2. Frank G. Farrier
3. Rev. George Meredith Jr (Farrier)
4. Darryl Martin (Farrier)

PROCEEDINGS:

SENTENCING:

No objections to PSI by defendant Farrier.

Court makes findings.

Court heard arguments on defendant Johnson's renewed motions for acquittal. Court overruled/denied motion.

Objections (4) by defendant Johnson. Government response. Court overrules all objections and makes findings.

Government arguments re: [12] motion for preliminary order of Forfeiture. Government witness. Arguments.

Court takes forfeiture motion under advisement at this time.

Defendant Johnson calls character witness

Defendant Farrier testifies. Defense calls additional witnesses/exhibits.

Victim - E. Scott Geller sworn and makes statement

Government sentencing recommendations for Frank Farrier

Government sentencing recommendations for Ted Johnson

Recommendations by counsel for Ted Johnson

Court takes recess

Recommendations by counsel for Frank Farrier

Defendant Johnson allocution

Comments by Court

TED JAMES JOHNSON JR

CBOP: 200 months total term. 180 months as to counts 2 - 26 and 35 concurrent; 120 months as to counts 27 - 34 concurrent; and 20 months as to counts 36 - 38 consecutive to terms for counts 2 - 35.

SR: 3 years on counts 1 - 38 concurrent. 1) The defendant shall provide the probation officer with access to any requested financial information; 2) The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer; 3) The defendant shall reside in a residence free of firearms, ammunition, destructive devices, and dangerous weapons and 4) The defendant shall be prohibited from engaging in any occupation, business, or profession requiring the handling of monetary instruments or sensitive financial information. Mandatory drug testing condition is suspended.

SA: \$3,700 due immediately

REST: \$2,910,660.79 jointly and severally with co-defendant Frank Graham Farrier, Jr. (See attachment A)

Order of Forfeiture entered

Appeal Rights stated

Court will recommend FCI Butner at defendant's request

FRANK GRAHAM FARRIER JR

Defendant Farrier allocation

CBOP: 87 months total term. 87 months as to counts 1, 19, 22 & 35 concurrent; and 60 months as to count 36 all to run concurrent.

SR: 3 years on counts 1, 19, 22, 35 and 36 concurrent. Mandatory, Standard and Special Conditions: 1) The defendant shall provide the probation officer with access to any requested financial information; 2) The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer; 3) The defendant shall reside in a residence free of firearms, ammunition, destructive devices, and dangerous weapons and 4) The defendant shall be prohibited from engaging in any occupation, business, or profession requiring the handling of monetary instruments or sensitive financial information. Mandatory drug testing condition is suspended.

SA: \$500 due immediately

REST: \$2,910,660.79 jointly and severally with co-defendant Ted James Johnson, Jr. (See attachment A)

Order of Forfeiture entered

Counts 2-18, 20, 21, 23 - 34, 37-38 and 41 dismissed

Appeal Rights stated

Court will recommend FCI Beckley at defendant's request

Both defendants remanded to custody

USPO: Phillip Reese

DEPUTY CLERK: Rebecca Collins

TIME IN COURT: 1:45 - 3:39 / 4:36 - 5:09 > 2.27